

FILED

JAN 24 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR-12-00021 PJH (DMR)

Plaintiff,

**ORDER RE MENTAL HEALTH
EVALUATION**

v.

MARK WONG,

Defendant.

This court held detention hearings in this matter on January 18 and 24, 2012 pursuant to the Bail Reform Act, 18 U.S.C. § 3142, et seq. As part of those proceedings, Pretrial Services prepared a full bail study and recommended that Defendant undergo an in-custody psychological evaluation to assess suicidality and risk of danger to others. The evaluation would be used solely to assist the court in determining whether Defendant should be released from custody pending trial. During the January 18 and 24, 2012 hearings, the undersigned ordered Defendant to undergo the recommended evaluation. The court further ordered that (1) the evaluation may only be considered by the court for purposes of the Bail Reform Act; (2) its contents shall not be disclosed to government counsel or to the Bureau of Prisons; and (3) in conducting the examination, the evaluator shall not inquire into Defendant's past criminal conduct or the current charges.

Upon further review of the file, the court amends its order regarding the scope of the psychological evaluation as follows. Defendant shall undergo an in-custody psychological

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U.S. Marshal

1 evaluation that shall include a general mental health evaluation as well as an assessment for
2 suicidality. The evaluator shall not assess Defendant for "risk of danger." In light of this revision,
3 the court denies Defendant's "Motion for Reconsideration of Defendant's Objection to Psychological
4 Evaluation Without Presence of Counsel" [Docket No. 6] as moot.

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6 IT IS SO ORDERED.

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8 Dated: January 24, 2012



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10 DONNA M. RYU
United States Magistrate Judge
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